

### **REMARKS**

Claims 25, 26, 54, 55 and 62-105 were pending and presented for examination in this application. In an Office Action dated May 12, 2011, claims 25, 26, 54, 55 and 62-105 were rejected.

Claims 25, 54, 104, and 105 are amended herein. Claims 106-112 are added. No claims are canceled.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

### **Examiner Interview**

Applicants' representative, Christopher King, conducted a telephone interview with Examiner Kim on September 7, 2011, during which the rejection under § 103 of claim 105, and possible claim amendments, were discussed. The Examiner contacted Applicants' representative on September 9, 2011, to confirm that agreement was reached that the claim amendments discussed on September 7th would distinguish the applied references. The claims have been amended in view of the discussion.

### **Response to Rejection Under 35 U.S.C. § 103(a)**

Claims 25-26, 54-55, 62-63, 71, 80, 83-84, 92, 101 and 104-105 stand rejected under 35 USC §103(a) as being unpatentable over Uchiyama, U.S. Patent Application Publication No. 2002/0065802, in view of Herz, U.S. Patent No. 6,029,195. Further, claims 64-70, 72-79, 81-82,

85-91, 93-100 and 102-103 stand rejected under 35 USC §103(a) as being unpatentable over Uchiyama in view of Herz and in further view of Official Notice.

Applicants have amended the independent claims as discussed during the interview of September 7th. For example, claim 105 has been amended to recite “providing the client-side behavior data associated with the article to a ranking processor in the client device”, and “calculating, by the ranking processor, a predetermined client behavior score ...” As discussed during the interview on September 7th and confirmed on September 9th, these amendments distinguish the applied references. The remaining independent claims have been amended in a similar manner.

The remaining claims are likewise distinguished from the applied references at least by reason of their dependencies from their respective independent claims.

Applicants also respectfully reiterate the request for a citation of references with respect to claims 64-70, 72-79, 81-82, 85-91, 93-100 and 102-103, as opposed to the use of official notice. (See Response of October 9, 2007, pages 16-17; Appeal Brief of July 25, 2008, pages 12-13).

## **Conclusion**

In sum, Applicants respectfully submit that claims 25-26, 54-55, 62-63, 71, 80, 83-84, 92, 101 and 104-112, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to, and allowance of, these claims.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: September 12, 2011

By: /Christopher King/  
Christopher P. King, Reg. No. 60,985  
Attorney for Assignee  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7213  
Fax: (650) 938-5200